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United States of America

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Civil No. <u>'12CV1029 LAB WMC</u>
)	
Plaintiff,)	COMPLAINT FOR FORFEITURE
)	
v.)	
)	
ONE 2007 CADILLAC ESCALADE,)	
CA LICENSE NO. 6NJA222,)	
VIN: 1GYFK63817R296249,)	
ITS TOOLS AND APPURTENANCES,)	
)	
Defendant.)	
)	

By way of complaint against the defendant, ONE 2007 CADILLAC ESCALADE, CA. LICENSE 6NJA222, VIN: 1GYFK63817R296249, ITS TOOLS AND APPURTENANCES ("Cadillac Escalade"), the United States of America alleges:

1. This Court has jurisdiction over this action by virtue of the provisions of Title 28, United States Code, Section 1355, and Title 21, United States Code, Section 881(a)(4), because the defendant Cadillac Escalade was used or intended for use to transport or facilitate transportation, sale, receipt, possession, or concealment of controlled substances in violation of Chapter 13 of Title 21, United States Code.

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1 2. Venue is proper in this district pursuant to Title 28,
2 United States Code, Section 1395 because the defendant Cadillac
3 Escalade was found in this district.

4 3. On November 14, 2011, Ray Junior Del Villar ("Villar")
5 drove the defendant Cadillac Escalade to a residence located in
6 the 1200 block of Sea Strand Lane, San Diego, in the
7 Southern District of California.

8 A. U.S. law enforcement agents watched as Villar
9 removed packages from the defendant Cadillac Escalade.

10 B. The U.S. law enforcement agents contacted and
11 detained Villar.

12 C. The U.S. law enforcement agents inspected the
13 contents of the packages.

14 D. The packages contained a total of approximately
15 eight pounds of methamphetamine, a Schedule II Controlled
16 Substance.

17 E. Based upon the quantity of methamphetamine Villar
18 unloaded from inside the defendant Cadillac Escalade, the way the
19 methamphetamine was packaged, and a number of other factors, the
20 agents believed it was transported by Villar for the purpose of
21 selling or delivering it to another person.

22 F. The agents concluded the methamphetamine was being
23 transported and possessed for commercial purposes and
24 distribution, not for the personal consumption of Villar.

25 5. On November 17, 2011, the U.S. law enforcement agents
26 obtained a seizure warrant from a U.S. Magistrate Judge in the
27 Southern District of California.

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1 A. The seizure warrant directed the agents to seize
2 for forfeiture the defendant Cadillac Escalade.

3 B. The defendant Cadillac Escalade was seized for
4 forfeiture pursuant to the seizure warrant.

5 6. The defendant 2007 Cadillac Escalade constitutes a
6 conveyance, used or intended to be used to transport or to
7 facilitate the transportation, sale, receipt, possession, or
8 concealment of a controlled substance, to wit: methamphetamine a
9 Schedule II Controlled Substance, in violation of Chapter 13,
10 Title 21, United States Code.

11 7. As a result of the foregoing, the defendant
12 2007 Cadillac Escalade is liable to condemnation and to forfeiture
13 to the United States for its use in accordance with Title 21,
14 United States Code, Section 881(a)(4).

15 8. The defendant 2007 Chevrolet Cadillac Escalade is
16 presently stored within the jurisdiction of this Court.

17 WHEREFORE, the United States prays that due process issue to
18 enforce the forfeiture of the defendant 2007 Cadillac Escalade,
19 and that due notice be given to all interested parties to appear
20 and show cause why said forfeiture should not be declared.

21 DATED: April 25, 2012.

22 LAURA E. DUFFY
23 United States Attorney

24 s/ Bruce C. Smith

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